

T/ctb

Decision 83 04 031 APR 6 1983

ORIGINAL

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of Airport Limousine Service of)
Sunnyvale, Inc., for the authority)
to change fares for the trans-)
portation of passengers between)
points in Alameda, San Mateo,)
Santa Clara and Contra Cost (sic))
Counties, on the one hand, and)
the San Jose, San Francisco, and)
Oakland Airports on the other hand.)

Application 82-09-29
(Filed September 17, 1982)

O P I N I O N

Airport Limousine Service of Sunnyvale, Inc. (applicant) is a passenger stage corporation (PSC-899) operating between San Francisco International Airport and San Jose Municipal Airport, on the one hand, and various communities in Santa Clara, San Mateo, Alameda, and Contra Costa Counties, on the other hand. Applicant is also authorized to conduct charter-party operations under a charter permit (TCP-321P).

Applicant requests authority to increase its passenger stage fares by 10%, rounded to the nearest dollar, across the board.

Applicant's fares were last adjusted by Decision 92044 signed July 15, 1980 in Application 59658, filed May 15, 1980.

Applicant is currently operating under protection of Chapter 11 of the Bankruptcy Court.

Applicant alleges that the requested fare increase is necessary to offset increases in operating costs.

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Based on the information contained in the application and supplied by the carrier, the following table sets forth the estimated results of operations under present and proposed fares for a test year ending December 31, 1983.

	<u>Test Year Ending December 31, 1983</u>	
	<u>Present Fares</u>	<u>Proposed Fares</u>
Passenger Revenues	\$1,602,996	\$1,698,996
Operating Expenses	1,621,879	1,621,879
Operating Income (Loss) Before Income Taxes	(18,883)	77,117
Operating Ratio Before Income Taxes	101%	95%

(Red Figure)

As indicated by the above table, applicant's operations in the test year ending December 31, 1983 under its present fares will be at a loss of \$18,883. The proposed fares will result in an annual gross revenue of \$1,698,996 and an annual gross revenue increase of \$96,000 with an operating ratio of 95% before income taxes.

Notice of this application was included in the Commission calendar dated September 17, 1982. No protests were received during the 30-day period allowed for protests by Rule 8.3 of the Commission's Rules of Practice and Procedure. A late-filed motion, dated February 4, 1983, from a competitor (Golden State Limousine, Inc.), seeks permission to protest this fare increase. Golden State's motion contains generalized allegations insufficient under the circumstances to justify a delay in our decision in this proceeding. Golden State's motion was filed over three months late. Golden State offers no reason why it was unable to file a protest within the 30-day period provided for such filings. For these reasons, the motion for leave to make a late-filed protest should be denied.

Findings of Fact

1. Applicant seeks a 10% increase, rounded to the nearest dollar, in its passenger stage fares to offset operating losses.
2. The proposed fares are necessary to ensure the viability of Airport Limousine Service of Sunnyvale, Inc.'s service to the public.
3. The requested fare increase will result in additional annual gross revenues of \$96,000.
4. The requested fare increase is justified.
5. No timely protests were received. A motion from a competitor carrier for leave to make a late-filed protest was received long after the protest period allowed by the Commission's Rules of Practice and Procedure.
6. Applicant is operating at a loss and needs the requested relief without further delay if it is to remain a viable passenger stage service for the public.
7. Since the fare increase is necessary to ensure applicant's continued operations, the effective date of this order should be the date of signature.

Conclusions of Law

1. The increased fares are reasonable and justified and should be granted.
2. Golden State's motion to make a late-filed protest should be denied.
3. Applicant must receive this fare increase without delay if it is to remain a viable transportation service for the public to ride.

O R D E R

IT IS ORDERED that:

1. Airport Limousine Service of Sunnyvale, Inc. is authorized to establish the increased fares proposed in Application 82-09-29. Tariffs shall be filed not earlier than the effective date of this order. They may go into effect five days or more after the effective date of this order on not less than five days' notice to the Commission and to the public.

2. The motion by Golden State Limousine, Inc. for leave to make a late-filed protest is denied.

3. The authority shall expire unless exercised within 90 days after the effective date of this order.

4. In addition to posting and filing tariffs, applicant shall post a printed explanation of its fares in its revenue vehicles and terminals. The notice shall be posted at least five days before the effective date of the fare changes and shall remain posted for at least 30 days.

This order is effective today.

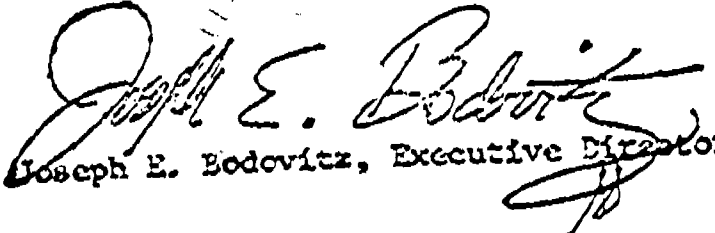
Dated APR 6 1983, at San Francisco, California.

LEONARD M. GRIMES, JR.
President

VICTOR CALVO
PRISCILLA C. GREW
DONALD VIAL

Commissioners

I CERTIFY THAT THIS DECISION
WAS APPROVED BY THE ABOVE
COMMISSIONERS TODAY.


Joseph E. Bodovitz, Executive Director